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EX PARTE OR LATE FILED

December 12, 1997

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**VIA HAND DELIVERY**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

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DEC 12 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: **Notice of Ex Parte Presentations**  
**MM Docket No. 87-268**

Dear Ms. Salas:

On December 11, 1997, Michael Wortsman, Cristina Schwarz, and Mary Jo Manning, on behalf of Univision Communications Inc., had meetings with Commissioner Furchtgott-Roth and Paul Misener, Senior Legal Advisor to Commissioner Furchtgott-Roth, and Commissioner Powell and Jane Mago, Mass Media Advisor to Commissioner Powell. Mr. Wortsman, Ms. Schwarz and the undersigned also met with Commissioner Ness and David Siddall, Advisor to Commissioner Ness, on that date. At these meetings, Univision discussed issues under consideration in the above-referenced proceeding. In particular, the parties discussed the difficulty of providing DTV service to the urban minority population that constitutes the bulk of Univision's audience and the need for greater DTV UHF power levels to overcome these difficulties. Univision stated its support for the proposals offered by ALTV and Viacom to ameliorate the enormous power differential between existing UHF and VHF stations when they enter the digital domain. Such relief is necessary to ensure the public's continued access to diverse and competitive programming, including Spanish-language services such as the Univision Network. The attached technical exhibit was distributed at these meetings.

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Ms. Magalie Roman Salas  
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Should there be any questions with regard to this matter, please communicate with the undersigned.

Sincerely,

A handwritten signature in cursive script, reading "Scott R. Flick".

Scott R. Flick

SRF:rl

cc: Commissioner Harold Furchtgott-Roth  
Commissioner Michael Powell  
Commissioner Susan Ness  
Paul Misener  
Jane Mago  
David Siddall

2300-002

TECHNICAL EXHIBIT  
PREPARED ON BEHALF OF  
UNIVISION COMMUNICATIONS INC.

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Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of Univision Communications Inc. (Univision) which operates 12 Spanish language TV stations, including WXTV on channel 41 at Paterson, New Jersey. The purpose is to provide information concerning the NTSC and DTV coverage for WXTV as well as the DTV coverage for the other commercial TV station's in the New York City TV market. The DTV coverage for WXTV is analyzed based on (1) the planning factors adopted by the Commission in the 6<sup>th</sup> Report and Order in MM Docket 87-268 (DTV Docket) and (2) revised planning factors believed to be more appropriate for the reception environment in the New York City TV market.

Station WXTV currently operates on NTSC channel 41 with a directional antenna maximum effective radiated power (ERP) of 2450 kW and an antenna height above average terrain (HAAT) of 421 meters. In the DTV Docket, WXTV was allotted channel 40 for its DTV operation with a directional antenna maximum ERP of 66.2 kW and an HAAT of 421 meters. Figure 1 is a map which depicts the predicted DTV noise-limited contours for all commercial TV stations in the New York City TV market. Figure 1A tabulates the NTSC and DTV facilities for all commercial TV stations in the New York City TV market.

The FCC used a receiver noise figure of 7 dB in the planning factors for UHF DTV reception. There does not appear to be any basis for this value. Based on an FCC Staff report entitled "Comparability for UHF Television" (dated September 1980), which provided the results of a comprehensive analysis of the FCC's television planning factors and derived "modified" coverage contour values, a figure of 12 dB was used for

receiver noise. This is considered a more realistic value. In addition, the FCC's planning factors contained in the DTV Docket do not contain a factor for building penetration loss which is relevant in urban markets and, particularly, the New York City TV market which consists of numerous high-rise buildings where use of indoor antennas are prevalent. The aforementioned FCC Staff report contains a building penetration loss figure of 24 dB. This figure is supported by a report conducted by the Georgia Institute of Technology in 1980<sup>1</sup> which contained a building penetration loss figure of 30 dB (6 dB "greater" than the value contained in the FCC Staff report).

Using a receiver noise figure of 12 dB and a building penetration loss figure of 24 dB, a 70 dBu signal is necessary to permit adequate DTV reception to indoor antennas. Figure 2 is a map comparing the NTSC Grade B (64 dBu) contour for WXTV based on its existing facilities and the DTV 41 dBu, noise-limited contour based on the FCC's planning factors in the DTV Docket and the DTV 70 dBu contour.

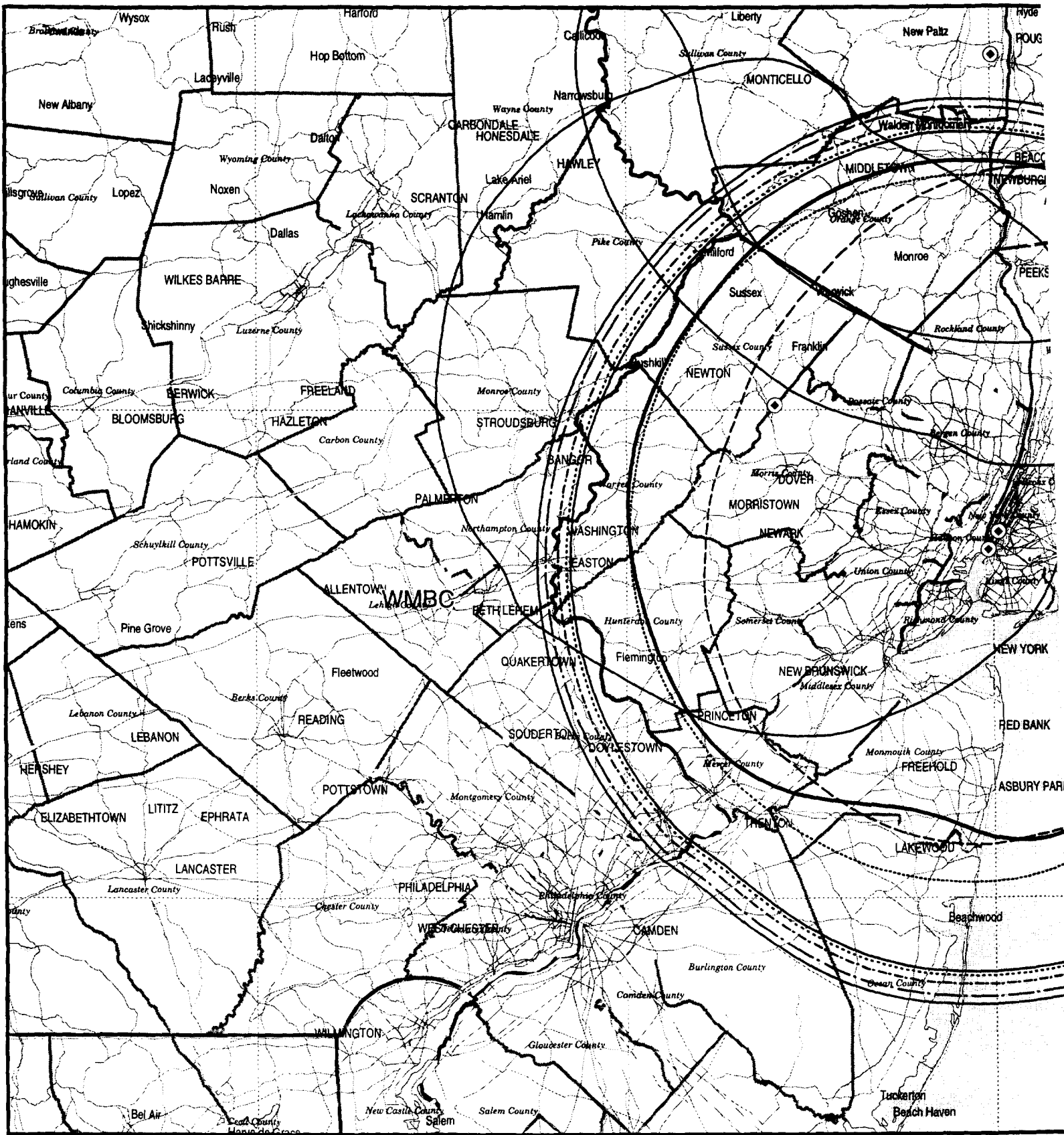
  
W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.  
240 North Washington Blvd.  
Suite 700  
Sarasota, Florida 34236  
(941) 366-2611

September 2, 1997

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<sup>1</sup> Final Report, Project No. A-2475, "Program to Improve UHF Television Reception", prepared for the UHF Comparability Task Force under Contract No. FCC-0315.



**PREDICTED DTV COVERAGE  
NEW YORK CITY COMMUNITY**  
du Treil, Lundin & Rackley,

FIGURE 1

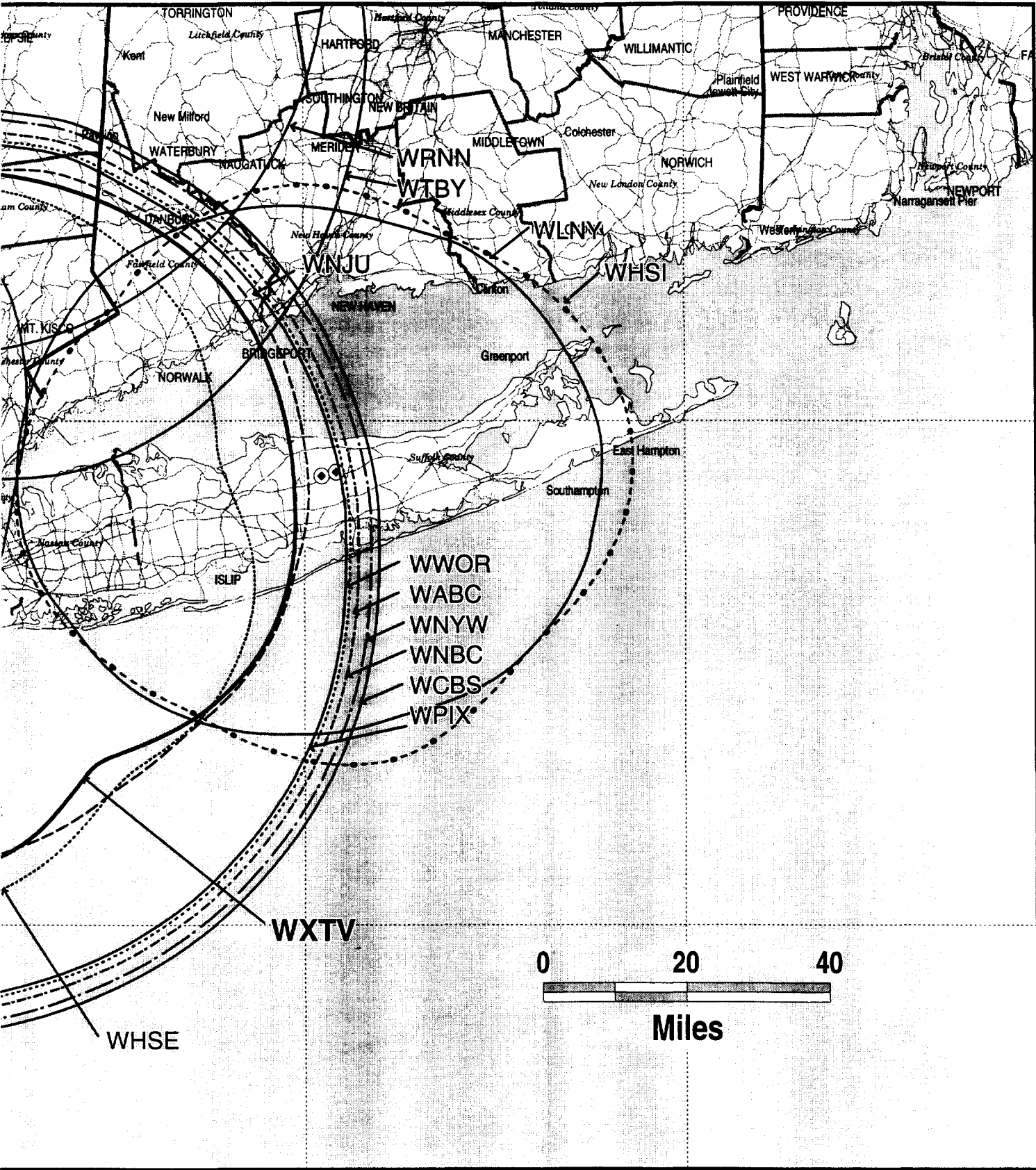
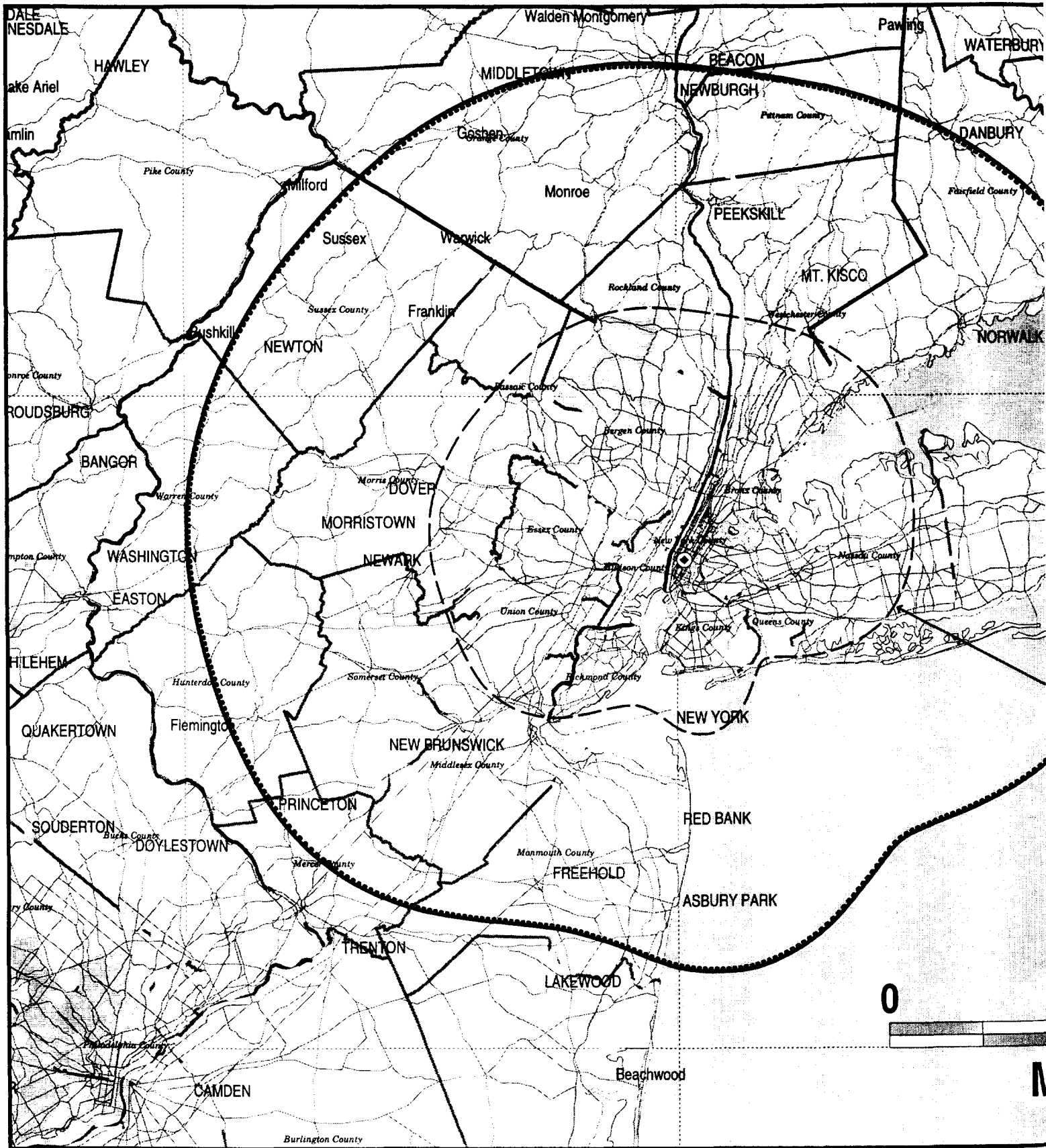


Figure 1A

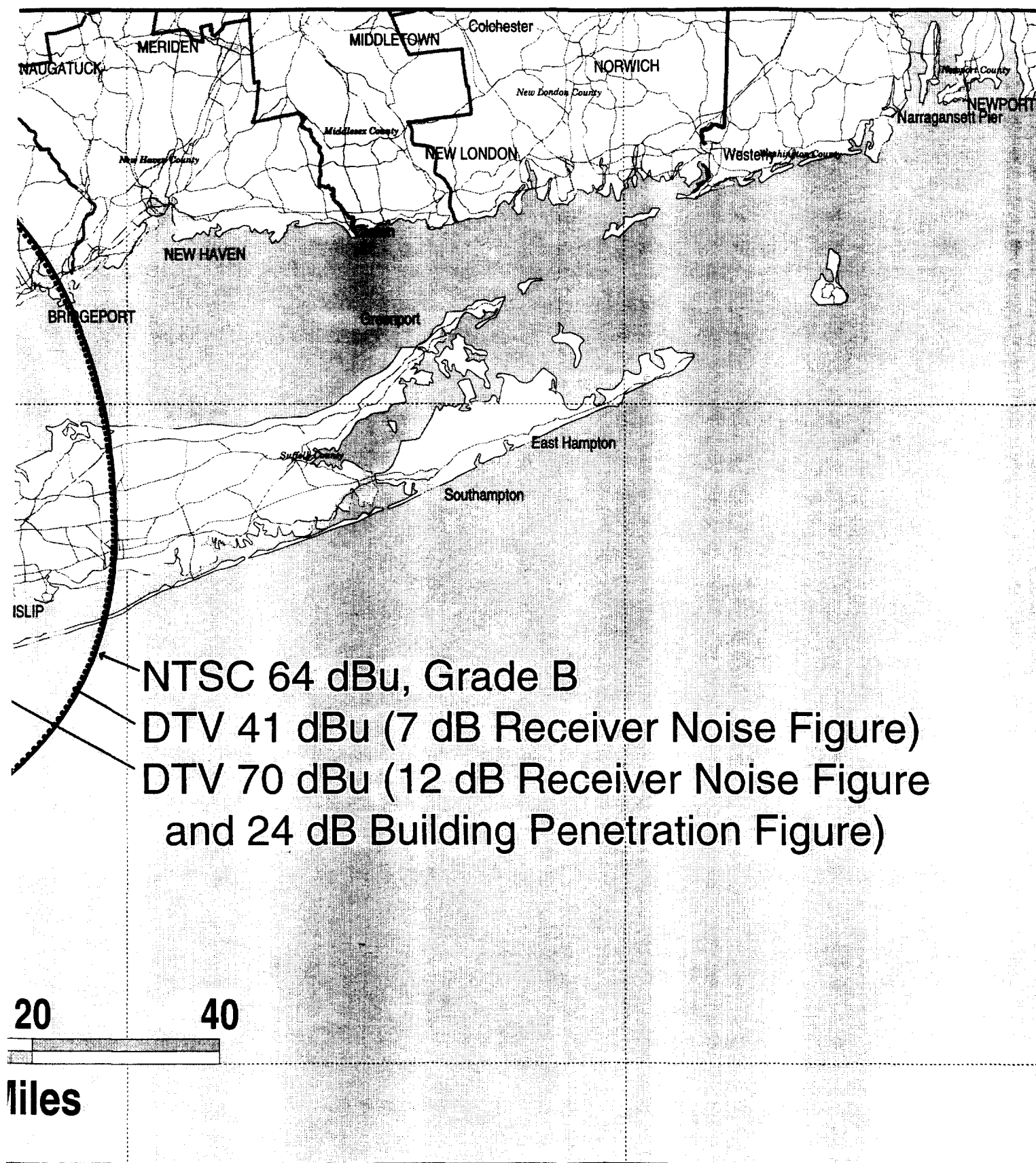
**EXISTING NTSC AND PROPOSED DTV FACILITIES  
NEW YORK CITY, NEW YORK COMMERCIAL TV STATIONS**

Call Letters	City/State	NTSC Facilities			DTV Facilities		
		Ch.	ERP (kw)	HAAT (m)	Ch.	ERP (kw)	HAAT (m)
WXTV	Paterson, NJ	41	2450	421	40	66.2	421
WHSE-TV	Newark, NJ	68	2630	439	53	53.5	439
WCBS-TV	New York, NY	2	21.4	482	56	349	482
WNBC	New York, NY	4	17.4	515	28	156.5	515
WNYW	New York, NY	5	17.4	515	44	215.2	515
WABC-TV	New York, NY	7	64.6	491	45	157.3	491
WWOR-TV	Secaucus, NJ	9	61.7	500	38	130.6	500
WPIX	New York, NY	11	58.9	506	33	111.8	506
WNJU	Linden, NJ	47	4570	460	36	142.6	460
WHSI-TV	Smithtown, NY	67	2630	219	23	50	219
WLNY	Riverhead, NY	55	5000	194	57	125.8	194
WMBC-TV	Newton, NJ	63	2190	223	8	3.2	223
WTBY	Poughkeepsie, NY	54	5000	490	27	112.5	490
WRNN-TV	Kingston, NY	62	5000	591	21	93.8	591



PREDICTED NTSC AND DTW  
WXTV, PATERSON  
NTSC - CH 41, ERP 234  
DTV - CH 40, ERP 66.2

FIGURE 2



V COVERAGE CONTOURS  
 , NEW JERSEY  
 0 KW/HAAT 421 M DA  
 KW/HAAT 421 M DA  
 , Inc. Sarasota, Florida